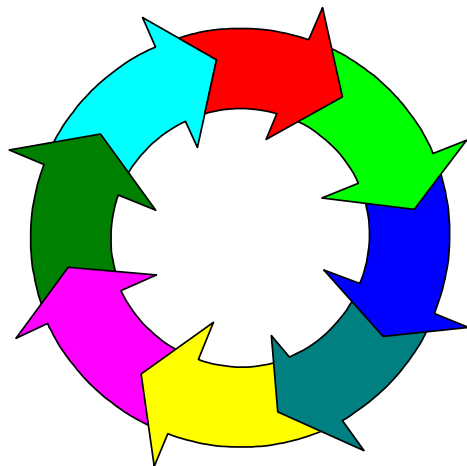


Virginia's Special Education

Federal IDEA Part B Self-Assessment Report

December 2000



**Virginia Department of Education
Division of Instructional Support Services
Office of Special Education and Student Services**

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Executive Summary

Summary of the Process

In April 2000 Virginia was notified of its selection for federal monitoring of its Part B special education and Part C early intervention programs by the United States Department of Education - Office of Special Education Programs (US-OSEP). As a first step in the federal Continuous Improvement Monitoring Process, the selected state is required to establish a steering committee with broad statewide representation to oversee the required self-assessment. In Virginia, a steering committee with representatives from both Part B and Part C programs was established. That steering committee split into two working committees, one for Part B and one for Part C, in order to facilitate an effective self-assessment for each program area. In addition, both committees had members who worked on both Part B and Part C workgroups. The full steering committee will work together to begin joint improvement planning once the self-assessment is completed.

Virginia's state advisory panel for Part B, the State Special Education Advisory Committee (SSEAC), was appointed to serve as the Part B steering committee workgroup. The SSEAC has members who are persons with disabilities, parents of children with disabilities, members who represent a variety of constituent groups, and are diverse in geography, ethnicity, and gender. The Part B committee workgroup met three times between July and November 2000. The workgroup also formed three subcommittees to accomplish the specific tasks of the self-assessment. These subcommittees met outside of workgroup meetings and were responsible for gathering, sorting, compiling, and interpreting data related to each of the US-OSEP self-assessment indicators.

In order to address public awareness of the Part B special education self-assessment and help validate the data used in completing the process, the Virginia Department of Education sponsored focus group interviews and disseminated a survey to the public. Between the focus group interviews (86 participants) and the public survey (741 respondents), 827 stakeholders in Virginia provided input for this self-assessment.

Findings

The four cluster areas identified by US-OSEP that were assessed include: 1) general supervision, 2) free appropriate public education in the least restrictive environment, 3) secondary transition, and 4) parent involvement. Across these four cluster areas, US-OSEP defined 19 components with a total of 93 indicators to assess. Through extensive review of a variety of data sources, areas of strengths, areas needing improvement, and areas of noncompliance were identified. Several of the US-OSEP's indicators could not be assessed due to the need for additional data. Recommended improvement strategies were also generated during this self-assessment to use in the improvement planning phase of US-OSEP's monitoring of Virginia. The need for additional data was addressed in the recommended improvement strategies for use in planning and future self-assessments.

This summary provides an overview of the areas of strength, needed improvements, noncompliance items, and recommendations. More detail on the self-assessment findings in each of the four cluster areas is in Part II of this report.

Summary of Areas of Strength

The results of the self-assessment process revealed areas of strengths within Virginia's Part B system. A summary of areas of strength includes the following:

- The special education monitoring system is progressing from episodic procedural monitoring to a system that emphasizes positive results for students with disabilities. The identification of systemic issues has increased through the collection of information from a variety of sources, including local self-assessments. Systemic issues are used to guide the focus of the state's on-site monitoring.
- Information is widely disseminated on Virginia's mediation, complaint, and due process hearing systems. During the first year of implementing a statewide mediation system 131 issues were addressed (78% were resolved within 30 days). The revisions of the state special education regulations (effective January 2001) strengthen these systems, including specific training of mediators and due process hearing officers.
- Virginia's Special Education State Improvement Plan (SIP) is strategically designed to enable children and youth with disabilities to meet performance goals. The SIP is a dynamic plan that contains 28 performance indicators, 16 of which have data that has been collected and reported. Implementing the SIP has increased partnerships that produce coordinated, effective activities that encourage school success for students with disabilities.
- The state special education regulations foster commitment to a free appropriate public education in the least restrictive environment and parent involvement by including provisions for staffing requirements and for Local Advisory Committees (LACs). Various other activities sponsored by the state encourage parent involvement in local and state program improvement efforts, including support for the establishment of local Parent Resource Centers (PRCs). In addition, there is a strong partnership between the state education agency and Virginia's federally funded parent training information center.
- Virginia maintains high standards for licensing teachers and other school personnel, and has aligned preservice teacher education programs with the Standards of Learning (SOL) expectations for students.
- A variety of strategies to ensure adequate numbers of qualified personnel are available which include: distance education training/endorsement programs; interstate reciprocity agreements; personnel development grants to universities and community colleges, school divisions and individuals; coordinated

programming to prepare personnel to serve low incidence populations; and a Training/Technical Assistance Center system to disseminate effective practices to school personnel.

- The state's Training/Technical Assistance Center (T/TAC) system has been effective in providing services to a broad range of personnel, including Part C early intervention providers, private providers, and other agency staff on behalf of children with disabilities. The T/TACs have also been effective in reaching all geographic areas of the state. The T/TACs are aligned with the state staff technical assistance specialists who also provide special education technical assistance.
- Eligible children and youth with disabilities, including those in local and state juvenile correctional facilities and jails, are receiving a free (at no cost to parents) appropriate public education.
- Virginia begins the entitlement to special education at age two, a year earlier than the federal requirement. The number of two year olds eligible for special education has increased since 1998, indicating that the local child find efforts are coordinated and effective.
- Students with disabilities are included in the state's accountability system and this inclusive philosophy is clearly articulated by Virginia's Board of Education standards and policies.
- The graduation and school completion rate of students with disabilities increased from 66.7% in 1997 to 75.4% in 1999. Likewise, from 1998 to 1999, Standards of Learning (SOL) test scores of students with disabilities increased at a rate similar to students without disabilities.
- The use of interagency agreements as a method for service coordination is increasing. Statewide initiatives are in place which provide direct support for secondary transition in partnership with appropriate agencies and organizations. Through an agreement with Virginia Department of Medical Assistance Services (DMAS), more of the costs of services provided to children are reimbursed to schools than in 1999.

Summary of Areas Needing Improvement

While progress has been made in areas of the Part B system, there are some aspects of the system that still need to be strengthened. A summary of areas needing improvement includes the following:

- The supervision and conflict resolution systems in place need to be strengthened to ensure corrective action takes place in a timely manner. More systematic

follow-up and enforcement activity is needed for local school divisions, juvenile and adult correctional facilities, and private facilities.

- There is a need to review the state's general supervision procedures to find more effective mechanisms for involving parents in the state's review and follow-up processes, and to implement a more fluid cycle for monitoring school divisions so that school divisions with persistent documented areas of noncompliance implement effective corrective action and are monitored on a more frequent basis.
- The number of personnel who hold a teaching license with conditional endorsement in the area assigned has increased over the past few years. Although many training activities are implemented, more preservice and inservice opportunities are needed to increase the number of fully qualified personnel. Effective personnel recruitment and retention activities are also needed.
- There is a need for more specialized materials and assistive technology for students with disabilities to be better equipped to access the general curriculum and achieve their individualized goals.
- Widespread dissemination of information to school personnel and parents needs to increase. In addition, the training and dissemination of informational material in a variety of languages, formats, and locations needs improvement.
- Students with disabilities drop out of school prior to completing a program or graduating. There is a need to increase prevention efforts to reduce the drop-out rate of students with disabilities.
- Local Advisory Committees request more direction and assistance than what is currently provided by the state to improve their involvement in school planning.

Summary of Areas of Noncompliance

The following aspects of Virginia's Part B special education system were determined, through the self-assessment process, to be areas of noncompliance.

- The monitoring procedures have not been effective to ensure corrective action in a timely manner. Virginia has not consistently imposed enforcement action to address persistent deficiencies. Decisions in complaint investigations, due process hearings, and reviews that result in corrective actions have not been implemented in a timely manner. Due process hearing officers do not make hearing decisions within the 45-day timeline.
- Conducting student evaluations (and reevaluations) within required timelines has been cited as an area of noncompliance through the monitoring process.

- Having extended school year services available across all categories and severities of disabilities has been cited as an area of noncompliance through the monitoring process.
- Having appropriate functional behavior assessment and behavior plans for students with disabilities has been cited as an area of noncompliance through the monitoring and complaints systems.
- Informing parents about parental rights and responsibilities associated with special education and notifying students one year prior to the age of majority of the transfer of rights, have been cited as areas of noncompliance through the monitoring process.
- Having a continuum of placement options available has been cited as an area of noncompliance through the monitoring process.

Summary of Recommended Improvement Strategies

Improvement strategies have been recommended by the State Special Education Advisory Committee (US-OSEP monitoring steering committee workgroup for Part B) in order to address those areas of noncompliance, areas needing improvement, and areas where additional data are needed. Many of these activities have already begun. Recommendations include the following:

- Improve monitoring, complaint, and due process procedures to ensure that all school divisions are monitored with sufficient frequency that noncompliance is consistently identified and corrected in a timely and effective manner. Implementation of this recommendation should include imposing sanctions and enforcement action when necessary to correct deficiencies.
- Determine mechanisms for effectively involving parents in the local monitoring process. Such mechanisms should address input from parents who are satisfied as well as those who have concerns about the special education program.
- Increase the collection and use of data on effective practices and model programs for statewide improvement of services to students with disabilities. Increase dissemination of information about: 1) resources for obtaining specialized materials and assistive technology, 2) extended school year services, and 3) positive academic and behavior supports. In addition, develop strategies for training and dissemination of informational materials in a variety of languages.
- Provide information to parents on opportunities to access information about special education services, and increase joint training opportunities for both parents and school personnel.
- Examine all areas where additional data are needed in order to assess the status of the state on the US-OSEP monitoring self-assessment indicators. Where disparate data exists, involve partners to align information needs with data collection

efforts. Where negative trends are identified, determine reasons and implement appropriate action. Use mechanisms to ensure that interpretation of data collected from local education agencies (LEAs) and other sources is written in explanatory language before it is disseminated to the public.

Virginia is proud of the evolution of its special education system. Over the past few years, Virginia has established broad systemic policies that embrace children and youth with disabilities in the state's education reform effort and accountability system. The strong message sent by the Special Education State Improvement Plan is beginning to put mechanisms in place for local school divisions to build their capacity and maintain effective practices to continually strive for better ways of educating all students, including those with disabilities. Most of all, Virginia is proud of the partnerships that exist with local school divisions, institutions of higher education, parent centers, and other agencies. The Virginia Department of Education is looking forward to working together to strengthen those partnerships and build new ones to provide important groundwork and confidence for the success of the work still to be done.

Part I - Summary of the Process

In April 2000, Virginia was notified of its selection for federal monitoring of its Part B special education and Part C early intervention programs by the United States Department of Education, Office of Special Education Programs (US-OSEP). As a first step in the federal Continuous Improvement Monitoring Process, the selected state is required to establish a steering committee with broad statewide representation to oversee the required self-assessment. As required, a steering committee with representations from both Part B and Part C programs was established. That steering committee split into two working committees, one for Part B and one for Part C, in order to facilitate an effective self-assessment for each program area. Both committees had members who worked on both Part B and Part C workgroups. The full steering committee will work together to begin joint improvement planning once the self-assessment is completed.

Virginia's state advisory panel for Part B, the State Special Education Advisory Committee (SSEAC), was appointed to serve as the Part B steering committee workgroup. The SSEAC has members who are persons with disabilities, parents of children with disabilities, members who represent a variety of constituent groups, and are diverse in geography, ethnicity, and gender. The Part B committee workgroup met three times between July and November 2000. The workgroup also formed three subcommittees to accomplish the specific tasks of the self-assessment. These subcommittees met outside of workgroup meetings and were responsible for gathering, sorting, compiling, and interpreting data related to each of the US-OSEP indicators on the self-assessment. Staff support to the steering committee was provided by the Virginia Department of Education (VDOE), facilitation and assistance at steering committee meetings was provided by the Mid-South Regional Resource Center.

In order to accomplish the statewide self-assessment, the Part B steering committee workgroup, the SSEAC, met three times for the purposes described below:

- July 27 and 28, 2000
 - ✓ To understand the US-OSEP Continuous Improvement Monitoring process
 - ✓ To understand the self-assessment criteria
 - ✓ To understand the information US-OSEP has provided to states on the self-assessment process and product
 - ✓ To understand the role of the Part B steering committee
 - ✓ To identify current data sources to inform us about the status of the system
 - ✓ To organize into subcommittees to accomplish the work
- October 13, 2000
 - ✓ To receive and react to the work of subcommittees on indicators, data sources, data analysis
 - ✓ To begin identifying strengths and weaknesses in our system
 - ✓ To discuss opportunities for public input

- November 27 and 28, 2000
 - ✓ To receive and react to the work of subcommittees on indicators, data sources, data analysis, and recommended improvement strategies
 - ✓ To receive and react to the work of subcommittee review of public input from focus group interviews and surveys
 - ✓ To make recommendations for the final conclusion on each cluster area
 - ✓ To review the tasks and timelines leading toward the completion of the self-assessment report and its submission to US-OSEP and future improvement planning in collaboration with the Part C self-assessment steering committee

At the July meeting of the steering committee, three subcommittees were formed in order to accomplish the necessary work. The subcommittees were based upon the US-OSEP Part B monitoring cluster areas, as follows:

1. General Supervision
2. Free Appropriate Public Education in the Least Restrictive Environment
3. Secondary Transition and Parent Involvement – These two cluster areas worked together as one subcommittee.

Subcommittee members were assigned by the SSEAC chairperson, considering members' interest, representation, and expertise. Each subcommittee included parent representation and was assisted by state staff. The membership list for the subcommittees is provided in Appendix A. To assist the subcommittees in their work, cluster charts were developed to correlate US-OSEP's cluster areas with state data sources, results, analysis, and recommended improvement strategies (see Appendix E). The subcommittees met three to four times each, in addition to steering committee meetings. Each subcommittee was responsible for taking the following steps with regard to their assigned cluster areas:

- Review all indicators to establish common understanding and add new indicators as appropriate.
- Gather and sort identified data sources.
- Compile and interpret data to draw conclusion and write justification for each indicator.
- Review and revise indicator conclusions based upon public input and workgroup feedback.

Committee meeting minutes are in Appendix B.

In order to help validate the data used in completing the self-assessment process, US-OSEP suggests that each state seek public input about the state's Part B special education program. The Virginia Department of Education contracted with the College of William and Mary to conduct focus group and telephone interviews across the state in September and October 2000. Information about these focus group interviews was provided to invited participants through phone calls and invitation letters. Parent coordinators were

selected to invite other parents and students with disabilities to participate in the parent and student focus group interviews. Participants for the focus groups with general education teachers, special education teachers, related service providers, special education directors, other administrators, and university faculty were selected by state staff and the contracted researchers.

In addition to the focus group interviews, the Virginia Department of Education provided a survey that was widely advertised. The survey was accessible on the Department's Web site, and hard copies of the survey were sent to individuals upon request. The two public input mechanisms addressed opinions about the state's strengths, areas needing improvement, and suggestions for improving special education in Virginia.

Between the focus group interviews (86 participants) and the public survey (741 respondents), 827 stakeholders in Virginia provided input for this self-assessment. The notice of public input opportunities is in Appendix C, which includes the invitation letter to the focus group interviews and the public survey advertisement and survey document. The public input results are in Appendix D. The public input results were provided to the SSEAC for their review and were used along with other data in the analysis and recommendations for each cluster area. The public input (focus group interviews and public survey responses) was summarized for presentation in this self-assessment report. The summary of public input results is included in Appendix D.

Part II of this document provides in more detail, the findings of Virginia's self-assessment process, including the identified areas of strength, areas needing improvement, and areas of noncompliance for the Part B program. These findings are organized by US-OSEP's components within each of the four cluster areas. Each component had multiple indicators associated with it. For more specific data and discussion on each indicator, the reader is referred to the cluster charts in Appendix E. Potential improvement strategies were also recommended through the committee and public input processes and those recommendations are described by the cluster area components in Part II of this report.

Part II – Self-Assessment Findings

A. General Supervision

The US-OSEP states its objective for this cluster area as, “Effective general supervision of the implementation of the Individuals with Disabilities Education Act (IDEA) is ensured through the state education agency’s and lead agency’s development and utilization of mechanisms and activities, in a coordinated system, that results in all eligible children with disabilities having an opportunity to receive a free appropriate public education in the least restrictive environment, and all eligible infants and toddlers and their families having available early intervention services in the natural environments appropriate for the child.”

General Supervision Cluster Summary

The Virginia Department of Education (VDOE) must ensure 1) that the requirements of Part B are carried out; and 2) that each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency -- is under the general supervision of the persons responsible for educational programs for children with disabilities in the state education agency (SEA); and meets the education standards of the SEA (including the requirements of Part B of IDEA). To meet these general supervision requirements, VDOE is responsible for the adoption and use of effective methods to monitor public agencies responsible for carrying out special education programs and to ensure the correction of deficiencies in program operations that are identified through monitoring, and for keeping records to show its compliance with program requirements. In addition to the monitoring requirements under the Government Performance and Result Act of 1995 and the Part B general supervision requirements, Part B sets out specific monitoring responsibilities for the Individuals with Disabilities Education Act (IDEA) requirements regarding individualized education programs (IEP) and placement in the least restrictive environment. Effective general supervision of the implementation of the IDEA is ensured through the state’s development and utilization of mechanisms and activities, in a coordinated system, that results in all eligible children with disabilities having an opportunity to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE).

Virginia’s general supervision over special education and related services is a function carried out by both the state education agency’s Division of Accountability Services and the Division of Instructional Support Services. VDOE’s general supervision conflict resolution systems include the due process, complaints, and mediation systems, which operate in the Division of Instructional Support Services. The Division of Accountability Services is responsible for oversight of the monitoring activities to ensure compliance with IDEA. This oversight involves the monitoring of programs in 132 school divisions; two schools for the deaf and the blind; 86 residential facilities, including local and regional juvenile detention facilities and other out-of-district residential programs, licensed under the *Standards for Interdepartmental Regulation of Residential Facilities for Children*; six hospital programs, one rehabilitation center, and 50 private special education day schools. Special education is provided to eligible youth in more than 60

adult correctional facilities; and seven state juvenile correctional facilities. The new Board of Education regulations places responsibility for educating students with disabilities in local jails on the local school divisions where the jails are located. The 2000 Virginia General Assembly appropriated \$1.7 million for special education and related services to eligible youth in local and regional jails. The provision of special education and related services in local and regional jails is coordinated with the monitoring in local school divisions. The adult correctional facilities are monitored by the Department of Correctional Education (DCE).

Over the years, Virginia's monitoring system has been effective in maintaining procedural compliance with federal and state regulations; however, the process routinely has not been used to analyze results, implement change, and evaluate the impact on student achievement. Virginia is making an effort to progress from a procedural compliance monitoring system to a system that focuses on program effectiveness and student results. The goal is to shift the existing paradigm from an episodic procedural monitoring view to one of strategic planning and continuous improvement. The primary focus of monitoring is aligned with the state education agency's goal--to raise the academic performance for all children in the Commonwealth and to achieve greater accountability for public education.

The monitoring system is a three-phase process that occurs over a two to three year period. School divisions enter the monitoring process once every six years. In Phase I, school divisions form local review teams, make a comprehensive assessment of their special education programs and develop program improvement plans. The program improvement plan identifies deficiencies and concerns, strategies for corrective action or improvement, and timelines for implementation. The self-assessment process also provides an opportunity for school divisions to compare the performance of students with disabilities to students without disabilities. The utilization of data allows school divisions to analyze existing gaps between "what is" and "what is desired." This analysis helps school divisions to establish goals for improvement. School divisions develop performance goals and indicators drawing from the Special Education State Improvement Plan (SIP).

Phase II of the monitoring process requires on-site reviews by the VDOE staff. The on-site reviews are individualized, tailored according to a review and analysis of relevant data about the school division. A focused monitoring approach is used that requires concentration on requirements that are more closely linked to academic achievement. During Phase III of the monitoring process, VDOE follows up with school divisions to ensure the implementation of corrective action. VDOE's follow-up procedures involve making telephone contacts, requesting documentation, and making on-site visitations for verification of compliance.

The Division of Instructional Support Services is responsible for administering the due process hearing system that provides procedures for the training of hearing officers, requests for a hearing, appointment of hearing officers, the management and monitoring of hearings, and the administration of the due process hearing system. VDOE is

responsible for the operation of the due process system; however, the local educational agency shares responsibility for the hearing process by ensuring the timely appointment of officers, communicating with VDOE, assisting with the hearing, and implementing the hearing officer's decision. A hearing officer's decision may be appealed directly to any state court of competent jurisdiction or to a district court of the United States.

The Virginia Department of Education maintains and operates a complaint system that provides for the investigation and issuance of findings by VDOE staff regarding violations of the rights of parents or children with disabilities. In 1999-2000, 164 complaints were received and processed by the complaints specialists. Only one complaint was overdue at the end of the fiscal year.

Virginia has a voluntary mediation system that gives disputants the opportunity to meet with independent third-party facilitators to assist them in resolving disputes. The mediator uses a variety of problem-solving methods including clarifying issues, identifying interests, determining areas of agreement, and helping parties to self-determine an outcome. The mediator provides a problem-solving structure and process and assures that everyone is listened to with respect. During the first year of implementation of the mediation system, 131 issues were addressed, 64% were resolved. Seventy-eight percent (78%) of the mediation cases were resolved or partially resolved within 30 days.

This self-assessment component of US-OSEP's Continuous Improvement Monitoring process provided VDOE the opportunity to reflect on areas of strengths, areas needing improvement, and identify areas of noncompliance. Some of the concerns identified as areas needing improvements have already been addressed and actions have been taken to address areas of noncompliance.

General Supervision Cluster Components

Component GS. 1: Early intervention services (EIS) and free appropriate public education (FAPE) for children with disabilities are ensured because the State's systems for monitoring, and other mechanisms for ensuring compliance and parent and child protections, are coordinated, and decision-making is based on the collection, analysis and utilization of data from all available sources.

There are 22 indicators in this component. Twenty-two areas of strength emerged, while nine areas need improvement. There are three areas of noncompliance identified within this component.

Areas of Strength

- Virginia's monitoring system is progressing from episodic procedural monitoring to a system that emphasizes positive outcomes for students with disabilities and connects program effectiveness with the requirements of IDEA 1997 amendments. School administrators are challenged to analyzing data concerning state assessments, graduation rates, suspension rates, and drop out rates, and comparing the rates of

students with disabilities with those of students without disabilities, and developing program improvement plans to address areas needing improvement.

- School divisions are required to conduct a self-assessment of their special education programs. Each federal and state requirement must be assessed for compliance. Further, the self-assessment requires school divisions to identify goals and objectives for improvement in the areas of professional development, curriculum and instruction, and parental involvement or some other identified need. The VDOE has received positive remarks from school administrators about the benefits from the self-assessment process.
- Monitoring institutes are held annually to provide information and guidance to conduct the local self-assessment and develop a program improvement plan. There is also much discussion about the requirements that are most frequently cited. Participants learn of experiences and strategies for conducting their self-assessments from administrators who have experienced the monitoring process. VDOE staff provides technical assistance throughout the process.
- Public meetings are held during the state's monitoring visitation to provide parents, students, and teachers the opportunity to participate in the state's monitoring process. These meetings are coordinated by the local advisory committees and the school division.
- VDOE incorporates the utilization of findings as an integral component of the state's monitoring system from a variety of data sources, including findings from complaint investigations, due process hearing and review decisions, and court decisions. Findings are also incorporated from the U S Department of Education, Office of Civil Rights, Office of Special Education Programs, Family Privacy Compliance Office, and the Vocational Education Methods of Administration reports.
- VDOE incorporates the utilization of information collected through the state's monitoring systems that will effect systems change: a one-tier due process system, creation of an appeal of VDOE's findings in a complaint investigation, additional oversight authority of hearing officers, increased training of hearing officers, and additional provisions to take action to remove a hearing officer from a case.
- A resource document has been disseminated to school divisions on the transfer of parental rights to students at the age of majority to ensure that students with disabilities are informed of their rights and responsibilities one year in advance of reaching age 18. School divisions were provided a listing of designated staff available to provide technical assistance. VDOE has revised the monitoring instruments to collect data from students to determine whether they are informed of their rights and responsibilities.
- VDOE's complaint system is successful in issuing letters of findings within the required 60-day time line. Of the 164 complaints received in 1999-2000, only one

complaint was overdue at the end of the year. At no time was there more than three cases overdue in any one month during the year.

- VDOE experienced success during the first year of full implementation of the mediation system. Mediators were assigned to cases within one or two days of the request. Of the 131 issues addressed through mediation, 64% were resolved at mediation. Seventy-eight (78%) of the mediation cases were resolved or partially resolved within 30 days.
- Many of the state-coordinated ongoing professional development opportunities for personnel on behalf of children with disabilities have been implemented by Virginia's eight Training/Technical Assistance Centers (T/TACs). The T/TAC system has reached to all its jurisdictions and provided services with a focus on capacity building at the local level. During 1998-99, more than 4,700 services were accessed by 20,391 people and during 1999-00, 5,175 services were accessed by 32,717 people.
- Strategic Direction II of Virginia's Special Education State Improvement Plan is designed to improve the performance of children and youth with disabilities by enhancing the knowledge, skills, abilities, and performance of all personnel who work with them. Virginia has several initiatives to address personnel training. In the first year of training paraprofessionals, four institutes served 561 paraprofessionals. VDOE has contracted for further training in summer 2001. In 1999-2000, the coordination of a speech-language program with colleges and universities resulted in 66 fully-endorsed speech-language pathologists.
- Virginia is able to promote improvement of services through promising practices, model programs, and demonstration projects. Services offered through T/TACs and the Governor's Best Practice Centers demonstrate research-based effective practices. Virginia has established these centers in each of the eight superintendent's regions of the state.
- Virginia implemented Instructional Support Teams (IST) with three pilot sites in 1999-2000, and expanded those services to include five additional sites in 2000-2001, and has begun developing a cadre of IST trainers.
- Virginia has implemented futures scanning to identify trends and issues that will help to better understand the emerging environment for students with disabilities.
- Over the last two years, VDOE has provided local capacity building improvement grants to all school divisions and state-operated programs. These grants will help school divisions to improve student achievement, the knowledge, skills and abilities of personnel serving children with disabilities, and parent/student involvement. VDOE is also developing a cultural competence training model for statewide implementation in 2001.

- Virginia's revised special education regulations (effective January 2001) require additional and more comprehensive training of hearing officers. Virginia provides two training sessions each year, requiring hearing officers to attend at least one. Of the 110 hearing officers, 90 attended the November 2000 training session.
- In 1999-2000, eight days of group training and several sessions of individual coaching were provided to mediators. Virginia has contracted for on-going training of mediators in 2000-2001.
- Virginia's strategically designed plan to enable children and youth with disabilities to meet performance goals, has five performance goals that target training needs in three broad areas for improvement – school completion and graduation, personnel development, and parent and student involvement. The plan has 28 performance indicators. As of July 2000, data had been collected on 16 indicators. Progress toward performance goals and indicators is evaluated, revised (as appropriate), and reported every two years utilizing a variety of data.
- Virginia's State Improvement Plan includes indicators addressing parental involvement. A parent survey to gather data on the indicator will be disseminated in June 2001. Data will be collected on the percentage of families participating in decisions including eligibility, individualized education program (IEP) development, transition planning, early intervention, transition from early intervention to preschool, and participation on local advisory committees.
- Virginia's special education regulations require a local special education advisory committee in each school division. This is a strong component for parent involvement in the delivery of special education services.
- The collection of information in complaint resolution, mediation procedures, due process hearings and monitoring provides data to assist VDOE in identifying systemic issues. Each year, systemic issues are used to guide the focus of the state's on-site monitoring.
- Beginning September 2000, VDOE revised its monitoring procedures to request school divisions to hold public meetings during on-site reviews. The meetings are coordinated by school divisions and their special education advisory committees. The Local Advisory Committees and school divisions coordinate the meetings. Out of 25 reviews in 1999-2000, 16 public meetings or focus group meetings were held.

Areas Needing Improvement

- In 1999-2000, six out of 25 public meetings held in local school divisions during VDOE's on-site monitoring had less than ten parents in attendance. There should be other opportunities to ensure all parents of students with disabilities are afforded opportunities to participate in the monitoring of special education programs in their school divisions.
- Virginia's revised monitoring system requires an analysis of certain available data in designing the focus of on-site reviews and making decisions about compliance. Input at stakeholder meetings and public surveys have indicated the need to monitor the academic gains of students with disabilities over time.
- A comprehensive review for compliance determination of all local policies and procedures is needed. In addition, VDOE should require the correction of deficiencies prior to approval of funding. This review and approval process should be an integral component of the state's monitoring systems.
- Some school divisions need more frequent monitoring than what is provided though the current six-year monitoring cycle to ensure that any noncompliance is identified and corrected in a timely manner.
- Local Advisory Committee reports are not being used as a data source in the monitoring process. Virginia needs to review advisory reports to effect systems change.
- A procedure is needed to review hearing officers' decisions and their removal from the hearing officers list when they consistently make poor decisions not based on regulations or fail to make hearing decisions within the 45-day timeline.
- There are 55 Parent Resource Centers in local school divisions across the state where parents can obtain information on special education and related services. These centers are not accessible to all parents of children with disabilities. There is a need to make resources accessible to all parents.
- There is a need to review all special education monitoring systems to ensure that systemic issues are identified and corrected in a timely manner and used to target statewide training and technical assistance. This will require coordinated services between each monitoring function.
- There is a need for more training opportunities for parents, school principals, and general education teachers.

Areas of Noncompliance

- Virginia's monitoring procedures have not been effective to ensure that local school divisions implement corrective actions of all identified deficiencies in a timely manner. Since US-OSEP's last review, Virginia has shown much improvement in the correction of deficiencies; however, the problem continues. Tracking reports in October 2000 revealed that two school divisions that were monitored in 1997-1998 and seven monitored in 1998-99 had not fully implemented corrective actions. Virginia has not consistently imposed enforcement action to address persistent deficiencies. Virginia's monitoring system requires continued follow-up with school divisions to ensure the correction of all identified deficiencies. Tracking charts show that repeated follow up has been necessary before VDOE is able to verify compliance.
- Decisions in complaint investigations, due process hearings and reviews that result in corrective actions have not been implemented in a timely manner. Virginia recently implemented procedures to ensure immediate follow up on complaints and due process decisions to ensure implementation in a timely manner.
- Hearing officers do not make hearing decisions within the 45-day timeline. In 1998-99, 16 out of 28 cases exceeded the timeline. Virginia has implemented an electronic database that will help to better track timelines. Also, Virginia regulations were revised, enabling VDOE to require additional oversight authority of hearing officers, increased training of hearing officers, and provisions to take action to remove a hearing officer from the case.

Recommended Improvement Strategies

- Review VDOE's monitoring procedures to ensure that all school divisions are monitored with sufficient frequency to ensure that any noncompliance is identified and corrected in a timely and effective manner.
- Revise the state's monitoring procedures to ensure that all systemic issues are identified and corrected in a timely manner. Implement procedures to ensure timely technical assistance on the most frequently cited violations identified through the monitoring systems.
- Review VDOE's monitoring follow-up procedures, complaints, due process hearings, mediation, and compliance reviews, to ensure that the correction of deficiencies occurs in a timely manner. Impose sanctions and enforcement action when necessary to correct deficiencies in a timely manner.
- Survey parents to gather input in determining whether the school division has fully implemented corrective action resulting from complaints, due process, and mediation decisions.

- Develop procedures to review hearing officers' decisions and their removal from the hearing officers list when they consistently make poor decisions not based on regulations or fail to make hearing decisions within the 45-day timeline.
- Determine how best to use reports from the Local Advisory Committees as an integral component of the monitoring system.
- Implement mechanisms to determine whether students are informed of their rights and responsibilities upon reaching the age of majority. These should include statewide parent/student surveys, a review of local policies and procedures, and an evaluation of the effect on dropping out of school.
- Continue to collect data on the Special Education State Improvement Plan (SIP) indicators to assess improved meaningful parent and student involvement in special education.
- Provide parents greater opportunities to access information about special education services through resource materials, technical assistance, workshops and conferences.
- Increase training opportunities for parents, school principals, and general education teachers.
- Ensure the use of available data from student and parent surveys and other parent-driven data for state decision-making and program improvement.
- Collect data on promising practices, model programs, and demonstration projects and disseminate information statewide to facilitate improvement of services to students with disabilities.
- Explain the potential use and interpretation of data prior to data collection and dissemination.
- Use performance goals and objectives to evaluate school divisions' local special education programs.
- Continue to gather and consider comments from public surveys, focus groups, and stakeholder meetings.

Component GS. 2: Appropriate and timely services are ensured through interagency coordination and assignment of fiscal responsibility.

This cluster area deals with Part early intervention services of IDEA. The Part C self-assessment was conducted by the Part C steering committee workgroup coordinated by the Virginia Interagency Coordinating Council (VICC) and Part C lead agency. Refer to Virginia's Part C self-assessment. There are eight indicators in this component. Two of

the indicators refer to Part B special education services. One area of strength emerged from one indicator. Additional information on interagency coordination for the provision of free appropriate public education is addressed in the section of this report on Free Appropriate Public Education in the Least Restrictive Environment (FAPE in the LRE).

Area of Strength

- Medicaid reimbursements precede the financial responsibility of local school divisions. Over the last three years, reimbursements for special education and related services have increased each year. In 1997-1998, medicaid payments totaled \$628,928 and in 1999-2000, payments totaled \$1,204,257.

Components GS.3 and GS. 4 were viewed together.

Component GS. 3: Appropriate special education and related services are provided to children with disabilities served in juvenile and adult correctional facilities in the State.

Component GS. 4: Appropriate special education and related services are provided to children with disabilities served in out-of-district placements under the direction and supervision of the public agency, and in state-operated programs (e.g., departments for mental health or mental retardation, schools for the blind and deaf).

There are nine indicators in these two components. Five areas of strength emerged while three areas need improvement. There is one area of noncompliance identified in the two components. There were no data available to assess five of the indicators. It is recommended that VDOE collect data and assess these indicators.

Areas of Strength

- All eligible youth in local and state juvenile correctional facilities are receiving FAPE. A coordinated team approach with the Departments of Education, Juvenile Justice, Mental Health, Mental Retardation and Substance Abuse Services, and Social Services is used in monitoring local and state juvenile detention facilities. All local and state juvenile and correctional facilities are monitored every two to three years.
- Each school division with a jail in its jurisdiction is required to develop an interagency agreement with that jail. VDOE received an additional full-time position from the Virginia General Assembly to provide oversight of the education programs in local jails. The 2000 session of the Virginia General Assembly also appropriated \$1.7 million for the provision of special education services and related services to eligible youth in local jails.
- Teachers in local and state juvenile correctional facilities receive technical assistance and professional development opportunities through on-site monitoring visitations,

and workshops and conferences provided by VDOE, T/TACs, local school divisions, and the Department of Correctional Education (DCE).

- The drop-out rates for children with disabilities in out-of-district placements and in state-operated programs are lower than rates for students with disabilities (in-district placements) and students without disabilities. In 1998-99, the drop-out rate for all students with disabilities was 3.9%, for students without disabilities it was 3.2. The drop-out rate for students in out-of-district placements was 1.9%. State-operated programs reported zero students as dropped out.
- Children placed by public agencies in residential facilities, regional programs, and special education private day schools are afforded the same rights under IDEA as children and youth with disabilities served by public agencies. VDOE provides technical assistance to personnel through on-site visitations, workshops and conferences. Facilities are monitored at least once every two years. An integrated team approach involving the Departments of Education, Juvenile Justice, Mental Health, Mental Retardation and Substance Abuse Services, and Social Services is used to monitor the residential facilities. The local regional programs are monitored with the school divisions where the facilities are located.

Areas Needing Improvement

- All monitoring instruments used in monitoring local and state juvenile and adult correctional facilities, residential facilities, state-operated programs and private day schools should be reviewed and revised to comport with IDEA requirements.
- Public input from local administrators revealed that clarification is needed on their responsibilities to incarcerated youth.
- VDOE needs to determine appropriate procedures for monitoring the adult correctional facilities.

Area of Noncompliance

- The monitoring in local and state juvenile and adult correctional facilities, residential facilities, state-operated programs and private day schools is not effective to ensure timely corrective actions.

Recommended Improvement Strategies

- Review the monitoring procedures for local and state juvenile detention facilities, adult correctional facilities, residential facilities, state-operated programs, and private day schools to ensure timely correction of identified deficiencies and use appropriate sanctions when necessary.

- Review monitoring procedures to ensure that all regional programs have been identified and are monitored to ensure FAPE to eligible students.
- Maintain data system to track special education services provided in local jails to ensure implementation of FAPE to all eligible youth.
- Determine appropriate procedures for monitoring the adult correctional facilities to ensure FAPE to all eligible youth.
- Determine whether the school completion rates of youth with disabilities in out-of-district placements and state-operated programs increase.
- Collect data to determine whether the participation in and performance on state- and district-wide assessments by students in out-of-district placements and state-operated programs are increasing.
- Collect data to determine how suspension and expulsion rates for children with disabilities in out-of-district placements and in state-operated programs compare to those of children without disabilities in school divisions.
- To assess one of US-OSEP's indicators, determine the percentage of children with disabilities eligible under Part B in out-of-district placements and in state-operated programs, who receive appropriate special education and related services by their second birthday.
- Utilize surveys to determine satisfaction with special education and related services to youth with disabilities placed in out-of-district placements and in state-operated programs.

B. Free Appropriate Public Education in the Least Restrictive Environment (FAPE in the LRE)

The US-OSEP stated objective for this cluster area is, “All children receive a free appropriate public education in the least restrictive environment that promotes a high quality education and prepares them for higher education, employment, or independent living after they exit school.”

FAPE in the LRE Cluster Summary

Incidence Rates

From 1995 to 1998, Virginia’s population of students with disabilities increased at a higher rate than the general population growth. In 1995, there were 1,079,854 students educated in Virginia’s public schools; in 1998, this number was 1,133,994 students (Fall Membership, Jan. 5, 1996 and Jan. 7, 1999). In 1995 there were 142,309 students with disabilities, or 13.2%, served under the Individuals with Disabilities Education Act (IDEA) compared with 154,266, or 13.6% of all students in 1998 (federal child count data Dec. 1, 1998 for children ages 2 to 22). As of December 1, 1999 there are 159,038 students with disabilities ages birth through 22. Virginia’s special education incidence rates are comparable to national data. Analysis is in process as part of the state’s procedures for determining whether significant racial/ethnic disproportionality exists relative to identification of students with disabilities.

Services and Personnel

The VDOE is fully committed to the provision of a free appropriate public education in the least restrictive environment (FAPE in the LRE). In order to address the provision of FAPE in the LRE, the state special education regulations reflect the federal regulations, and tailored to Virginia’s public education system contain additional state requirements for local school divisions’ staffing of special education programs.

VDOE has instituted a number of strategies to ensure that adequate numbers of qualified personnel are available to provide FAPE in the LRE. The *Licensure Regulations for School Personnel in Virginia’s Public Schools* require attention to disabling conditions as well as attention deficit disorders within coursework for all teachers (Part 4, Professional Studies). Virginia’s approved teacher preparation programs are aligned with the state’s academic expectations for students, the Standards of Learning (SOL). There are approved preservice programs in Virginia’s institutions of higher education in all disability areas except for vision impairment; and the one university program for hearing impairment is currently not operational. The state maintains two endorsement programs for teachers to add special education endorsements to their teaching license. One, the Commonwealth Special Education Endorsement Program (CSEEP), increased the numbers of teachers for students with learning disabilities, emotional disturbance, and mental retardation from 66 in 1997 to 338 in spring of 2000. For the area of vision impairment (VI), Virginia teachers also have access to the VI endorsement program, a collaborative activity among

the VDOE, Virginia Department for the Blind and Vision Impaired, and the University of Virginia Southwest Center. In addition, the state offers teachers access to a VI degree program through an interstate agreement with the University of Louisville, Kentucky. The state has also begun support of new programs to address personnel needs in the area of severe disabilities, and in assistive technology. The state will be addressing support for HI programs as one activity of the Special Education State Improvement Plan (SIP). Virginia has reciprocity agreements with other states to accept licensed school personnel who successfully complete preparation programs.

The VDOE provides financial support for training of occupational and physical therapists, speech-language pathologists, early childhood special educators, and educational interpreters. Other strategies to address personnel development include the provision of training and technical assistance through, state regional technical assistance specialists; training/technical assistance centers (T/TAC) based in universities; regional and local improvement grants; personnel tuition assistance grant programs; and new administrator academies.

To address persistent special education teacher shortages, Virginia uses the conditional license process which allows a licensed teacher to be assigned to students with a specific disability category, while the teacher is earning the requirements to be endorsed in that area. The teacher has a date certain to achieve the endorsement requirements. Although the state recognizes conditional licenses for educational personnel, those personnel are considered not fully qualified for their assignment until they reach the highest standard. The number of “not fully qualified” personnel is increasing, therefore this is an area needing improvement. The initiatives that are generated by the VDOE may be considered as areas of strength. However, the public input from all indicated concern that increased training is needed for all personnel working with students with disabilities. Another area of need is the recruitment and retention of qualified special education personnel.

Indicators related to school success for students include graduation, school completion and proficiency on measures of student achievement. From 1997 to 1999 there was an increase in students with disabilities who graduated or completed high school (66.7% in 1997 to 75.4% in 1999). The state *Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA)* as well as the Special Education State Improvement Plan’s (SIP) strategic directions and goals foster high expectations for students with disabilities. Another indicator of school success is participation and performance on the state’s accountability assessment programs, Standards of Learning (SOL assessment program). State policies encourage a broad array of accommodations in the SOL assessment program. The SOL test scores of students with disabilities increased from 1998 to 1999.

This self-assessment recognized improvements that are still needed in the area of school success for students with disabilities. Public input indicates concerns that the SOL will create a barrier to the school completion and graduation rates of students with disabilities. Students with disabilities’ participation in the SOL assessment program was slightly lower in 1999 than 1998 (a 3.3% percentage point decrease at the elementary and middle

grades; and a 3.1% percentage point decrease at the high school level). Although students with disabilities demonstrated increased performance on SOL tests, as a group, their test performance is lower than students without disabilities.

The long-term suspension and drop-out rates of students with disabilities need to be addressed, as well. Instances of long-term suspension for students with disabilities is greater (by two cases per thousand) than students without disabilities. The drop-out rate for students with disabilities is slightly higher than for students without disabilities (the difference is less than one percentage point).

Public input expressed concerns about personnel being adequately trained to address behaviors related to students' disabilities and following proper procedures regarding suspension and expulsion. For the 1999-00 period, the state's monitoring of local school divisions cited nine (of 25 school divisions reviewed) for not having appropriate functional behavior assessment and behavior plans provided to children with disabilities. The number of founded complaints in this area was one for 1998-99 and five for 1999-00. This is an area where some localities were not meeting the requirements for functional behavior assessment and behavior plans. For school divisions found out of compliance, corrective action was required.

Virginia has taken steps to address problems associated with student achievement, behavior, and school success. Through the SIP, additional funds were allocated to local school divisions to build capacity for improving in these areas. Many of these efforts are partnerships among school divisions, institutions of higher education, and T/TACs. The T/TACs have helped design a statewide training institute for positive academic and behavior supports that will begin additional training activity spring 2001. This training will supplement the T/TACs ongoing technical assistance in behavior supports, assessment, and intervention.

Several other areas of noncompliance relative to the provision of a free appropriate public education in the least restrictive environment surfaced in this self-assessment. The state's monitoring system has found school divisions that are out of compliance in the areas of : 1) meeting timelines for conducting evaluations or reevaluations, and 2) having extended school year services available across all categories and severities of disability. In order to address problems with the provision of extended school year services, standards are set forth in the state special education regulations (effective January 2001) and a technical assistance document was disseminated in the fall 2000. For school divisions found out of compliance with timelines and extended year services, corrective action is required.

Virginia recognizes the importance establishing partnerships with other state agencies in providing services to students with disabilities. The VDOE has partnerships with other state agencies the *Code of Virginia* and interagency agreements. Through this self-assessment, it was found that the review cycle for interagency agreements varies and some of these agreements need to be revisited. In order to address that problem, a regular review schedule will be established.

Placement

Virginia has taken steps to ensure that student placement decisions made by individualized education program (IEP) teams carefully consider the least restrictive environment for individual children and not base the placement decision on existing programs or cost. In Virginia, the cost of special education and related services (excluding federal funds) is shared between the state and local school divisions. The local share is determined by the local composite index, which is a measure of the locality's ability-to-pay. Therefore, an IEP team's decision to place a child in a more restrictive (often more expensive) setting will result in a higher cost for the locality as well as the state, reducing the potential for making a more restrictive placement for funding reasons. There are three funding streams related to special education placements, which are: 1) Standards of Quality (SOQ) formula; 2) public regional funds; and 3) Comprehensive Services Act (CSA) funds. The SOQ funding formula is reflected in the state special education regulations staffing requirements section. These requirements were previously in the Special Education Program Standards, which were revised in 1994 to remove any implication that placement referred to location rather than the amount of service. In 1997 VDOE staff conducted interviews with public regional program staff. These interviews revealed that although public regional special education programs are funded through a separate mechanism from the SOQ formula, student placements were made in the least restrictive environment. These regional programs had a continuum of services and placements available based on student needs, as indicated by the IEPs. The CSA includes a state-local funding mechanism that includes private day and residential special education placements. CSA policy was amended to allow funds to be used for community-based services that would prevent more restrictive placements. This policy was communicated to local CSA teams and school divisions through a memorandum from the superintendent of public instruction in August 1999.

Although state policies appear to support placement decisions that are based on careful consideration of the individual student needs by the child's IEP team, the state's monitoring system found some school divisions out of compliance for not having a continuum of placement options available. In 1998, four of 21 school divisions monitored were cited; in 1999 five of 20 monitored were cited; and in 2000 three of 25 were cited and four were cited for children not being placed in an age-appropriate environment. In the public input focus groups, some parents raised concerns that for certain students, placement decisions were narrowly defined. Other parents suggested that there was no continuum of services for some students. Parents were concerned that labels, rather than needs, were determining placement. Some special education teachers and related service providers indicated concerns with accountability pressures as a barrier to general education teachers accepting students with disabilities in their classes. Improvement strategies that address the concerns of parents and the increased pressures on teachers are needed in order to ensure the least restrictive environment for individual students fosters school success.

Two areas, listed below, related to free appropriate public education in the least restrictive environment, emerged that could not be assessed at this time. Additional data collection is needed for future self-assessments and planning.

Areas Needing Additional Data

The first administration of the Virginia Alternate Assessment Program will be spring 2001. Therefore, there is no information on participation rates and proficiency levels of students with disabilities for the state's alternate assessment. It is anticipated that two percent of all students with disabilities will participate in the first VAAP administration. The VDOE will be able to determine if students with disabilities are appropriately included in the state's accountability system when the alternate assessment and the modified standard diploma literacy and numeracy tests are fully implemented. The VDOE will collect and examine these data to identify if students with disabilities have been systematically omitted from the state's accountability system.

There is no coordinated data collection to assess teacher and consumer (families and students) satisfaction with special education. This area is also highlighted in the Parent Involvement section of this self-assessment report. The VDOE has begun to address this area through the SIP goals and will need to routinely obtain, examine, and report such data.

FAPE in the LRE Cluster Components

Components BF.1, 2, and 3 were viewed together because their indicators overlap and encompass the state's system of personnel development.

- BF.1. The needs of children with disabilities are determined based on information from an appropriate evaluation.*
- B.F.2. Special education and related services are available to meet the unique individual needs of children with disabilities.*
- B.F.3. Appropriately trained administrators, teachers, paraprofessionals and related service personnel provide services to children with disabilities.*

There are 14 indicators in these three components. Five areas of strength emerged, while three areas need improvement. There is one area of noncompliance identified within these components.

Areas of Strength

- *Virginia Licensure Regulations for School Personnel* require attention to disabling conditions and attention deficit disorders within coursework for all teachers (Part 4, Professional Studies). Virginia's approved teacher preparation programs are aligned with the Standards of Learning (SOL) for students.
- Virginia has approved preservice programs to prepare teachers of students with disabilities in most categorical areas. Programs to address teacher preparation for

low incidence disabilities are beginning to increase as a result of the SIP goals (severe disabilities, vision impairment, and hearing impairment).

- Virginia has reciprocity agreements with other states to accept licensed school personnel who successfully complete preparation programs. Individuals coming through such interstate agreement programs are subject to Virginia's professional teacher assessment requirements. It is difficult to identify trends of strengths or areas needing improvement with one year of data
- The VDOE's Training/Technical Assistance Center system (T/TAC) is viewed as an area of strength. Through public input, parents, as a group, requested that T/TACs provide more services targeted to parent training. Administrators, teachers, and related service providers also recognized the T/TAC system as a valuable teacher training asset for school divisions. In 1998-99, T/TACs offered 4,061 service events with 20,391 participants; in 1999-00 T/TACs offered 5,175 service events with 32,717 participants. Both years, over 50% of the participants were general and special education teachers.

The Virginia Department of Education provides other regional, local, and teacher-based opportunities for personnel development. They include:

- local improvement grants for capacity building;
 - local educational agency (LEA) and institution of higher education (IHE) grants;
 - regional training grants;
 - early childhood tuition grants;
 - support to colleges to prepare more occupational and physical therapists;
 - support for speech-language pathologists' coursework;
 - training programs for educational interpreters; and
 - new special education administrators' academy.
- Public input indicated broad support for the goals of Virginia's Special Education State Improvement Plan (SIP) which address increasing the student graduation and school completion rates, increasing qualified personnel, and improving parent/student involvement in special education.

Areas Needing Improvement

- The initiatives that are generated by the VDOE may be considered as areas of strength. However, public input suggests that all school personnel need more information and training. Input also suggests that the public is not aware or knowledgeable of the VDOE initiatives.
- Although the state recognizes conditional licenses for educational personnel, those personnel are considered not fully qualified until they reach the highest standard. The number of "not qualified" personnel increased.

- Public comment from some parents noted concern that assistive technology and specialized materials for students with visual impairments (or blind) are not available to the extent needed or on a timely basis.

Areas of Noncompliance

- VDOE's monitoring system has found school divisions who are out of compliance with regard to meeting required timelines for conducting evaluations or reevaluations. This self-assessment did not determine if there were any instances of noncompliance in meeting evaluation timelines for children transitioning to Part B from the Part C early intervention system.

Recommended Improvement Strategies

- Determine reasons for evaluations not meeting timelines and explore additional strategies, including sanctions, to ensure timely and effective compliance.
- Develop a mechanism to disaggregate children transitioning from Part C, early intervention to determine if there are problems in conducting timely evaluations with that population.
- Continue analysis of data for determining whether significant racial/ethnic disproportionality exists relative to identification of students with disabilities.
- Determine if the state-funded/supported activity is addressing the local and school personnel training and information needs.
- Explore mechanisms to reach all personnel with training and information.
- Widely disseminate information to school personnel and parents about obtaining specialized materials and assistive technology from various agencies/sources.
- Collect, compile, and analyze data from local improvement training grants, including examining for activity addressing low incidence disabilities
- Collaborate and align with other agencies, localities, and other partners (such as Council for Exceptional Children, National Association of State Directors of Special Education) to address effective special education personnel recruitment and retention activities.
- Continue to examine personnel licensure reciprocity agreements with other states to determine if increases occur over time.
- Provide flexibility to approved preservice programs. Provide more state support for a variety of creative school-university partnerships and collaborative programs among universities.

- Establish mechanisms to increase preservice programs for teaching students with hearing impairment and vision impairment.

Component BF.4 and part of Component BF.5 were considered together as the indicators overlap.

Component BF.4: Appropriate special education and related services are provided to children with disabilities served by the public agency.

Component BF.5: Appropriate services are provided to address behavioral needs of children with disabilities.

There are 10 indicators across these two components. Three areas of strength emerged, while three areas need improvement. There are two areas of noncompliance identified within these components. One indicator, “positive results of teacher and consumer satisfaction surveys increase” could not be assessed due to limited data.

Areas of Strength

- In Virginia the entitlement to special education begins at age two, which is one year earlier than the federal mandate of age three. Parents, however, have the option of continuing to receive early intervention services (through Part C) until their child is three. The percent of two year olds identified as needing special education and related services increased from 1997 to 1998 indicating that the state activity is fulfilling its child find obligation.
- Public input indicated that the SIP and the T/TAC system are areas of strength in moving toward achieving the goal of increased student graduation rates. Over the past two years, students with disabilities who have graduated or completed high school rose from 66.7% in 1997 to 75.4% in 1999, an increase of 8.7 percentage points.
- Specific initiatives for positive behavior intervention, including functional behavior assessment and behavior intervention planning are available through T/TAC services, the statewide institute on positive academic and behavior supports, and state grants to local schools through the SIP. Additional training from the statewide institute is scheduled to begin spring 2001.

Areas Needing Improvement

- Public input from the Part C early intervention self-assessment noted that there is not sufficient data available to determine the extent of training on transitioning children from the Part C services system.
- Although more students with disabilities in Virginia graduated from high school from 1997 to 1999, improvement is needed to further reduce the drop-out rates of students with disabilities. The drop-out rate for students with disabilities is greater

than for students without disabilities; the difference is less than one percentage point for the past two years.

- During 1998-99, instances of long-term suspension for students with disabilities are greater than for students without disabilities (two cases per thousand more). During that same period (1998-99), instances of expulsion for students with disabilities are also greater for students with disabilities than students without disabilities (.11 cases per thousand more). The difference in the expulsion rates for students with and without disabilities is less than the difference between the long-term suspension rates. Therefore, the state should focus on prevention programs to reduce the long-term suspension rates of students with disabilities
- Teachers and administrators need access to information addressing positive behavior intervention, including functional behavior assessment and behavior intervention planning.

Areas of Noncompliance

- The VDOE's monitoring of local school divisions found situations across the state of noncompliance in the area having extended school year services available across all categories and severities of disability.
- For the 1999-00 period, the Virginia Department of Education's federal program monitoring of local school divisions cited nine of 25 school divisions reviewed in the area of having appropriate functional behavior assessment and behavior plans provided to children with disabilities. The number of founded complaints in this area was one for 1998-99 and five for 1999-00. This is an area where some localities were not meeting requirements for functional behavior assessment and behavior plans.

Recommended Improvement Strategies

- Determine reasons for identified areas of noncompliance. Explore additional strategies, including training and sanctions, to ensure timely and effective compliance.
- Training in positive behavior supports, functional behavior assessment and intervention should address the needs of school personnel. The training should address effective intervention for challenging behaviors of students.
- Disseminate information on extended school year services.
- Continue to examine data in the following areas for trends:
 - graduation and school completion,
 - drop-out rate,
 - long-term suspension, and expulsion.

If negative trends are identified, determine reasons and implement appropriate action.

- Compile information from a variety of Virginia studies/reports related to the drop-out and long-term suspension causes and target effective, specific programs to address those problems.
- Since there is no coordinated system for collecting data addressing teacher and consumer (families and students) satisfaction with special education, develop a mechanism to routinely obtain, examine, and report this information.
- Collaborate with Part C personnel to develop and implement coordinated statewide training and technical assistance around transitioning children from Part C early intervention services.

Component BF.6: Appropriate special education and related services are provided by the public agency at no cost to the parent, including children placed out-of-district by the agency.

There are two indicators in this component. Two areas of strength and two areas needing improvement emerged. There are no areas of noncompliance.

Areas of Strength

- Collaboration among state agencies is long-standing in Virginia and has increased with some agencies in recent years. The Virginia Department of Education has established the following interagency partnerships:
 - 1) Virginia Department of Rehabilitative Services
 - 2) Virginia Department of Medical Assistance Services
 - 3) Early Childhood Partnerships - an agreement among three agencies serving young children, the VDOE and the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Headstart Bureau)
 - 4) Virginia Interagency Transition Council – an agreement among 20 agencies and organizations

The following agreements are in the review process:

- 1) IDEA Part C Early Intervention – an agreement among nine state agencies
- 2) Virginia Department for Blind and Vision Impaired

The Virginia Department of Juvenile Justice and Virginia Department of Correctional Education are participating in the development of an interagency agreement with the VDOE.

The statutory relationship between the Virginia Department of Health and the VDOE and Comprehensive Services Act are under review to determine if an interagency agreement is needed.

- Responses from the public survey were rated as a strength in the area addressing US-OSEP's indicator, "Special education and related services are provided at no cost to parents" (3.3 on a 4-point scale; 1=needs improvement to 4=area of strength).

Areas Needing Improvement

- The review cycle varies for each interagency agreement. Each relationship should be reviewed on a regular cycle to determine if there needs to be changes.
- Although the public input noted that special education is provided at no cost to parents, public input suggests that services are limited by school budgets and parents have to supplement school services through private providers. Some parents indicated that the cost of due process hearings presents a barrier to parents who might benefit from using this system to resolve conflict.

Recommended Improvement Strategies

- Establish a schedule for regular review and, if necessary, revision of the interagency agreements. Explore new agreements with agencies not currently involved.
- Identify all barriers to parents using the due process system with appropriate stakeholders. Using data from the state's mediation system, determine if mediation reduces the perceived barriers to resolving conflict.

Component BF.7: Continuous progress is made within the State's system for educational accountability by children with disabilities.

There are seven indicators in this component. Three areas emerged as strengths; four areas are identified as needing improvement. There are no areas of noncompliance. One indicator, "The percentage of children with disabilities participating in alternate assessments is comparable to national data," could not be assessed since these data are not yet available.

Areas of Strength

- State special education regulations and the SIP goals foster high expectations. Students with disabilities are in the school accreditation and accountability system. State policies provide a broad array of accommodations in the school accountability Standards of Learning (SOL) assessment program.

- Students with disabilities SOL test scores increased from 1998 to 1999 and the rate of improvement was similar to the rate for students without disabilities. Percent of SOL tests passed by students with and without disabilities:

<u>Year</u>	<u>With disabilities</u>	<u>Without disabilities</u>
1998 (grades 3, 5, 8)	27%	60%
1998 (end-of-course)	29%	55%
1999 (grades 3, 5, 8)	34%	66%
1999 (end-of-course)	33%	63%

- Students with disabilities who graduated or completed high school increased from 66.7% in 1997 to 75.4% in 1999.

Areas Needing Improvement

- Participation of students with disabilities in the SOL assessment program decreased from 1998 to 1999. As a group, students' with disabilities SOL test proficiency levels are lower than students without disabilities. Through public input focus group interviews, some local school administrators noted that the SOL tests need improvement.
- Public input suggests that the new modified standard diploma created by the state Board of Education in 2000, although it does not end the entitlement to special education, is an important addition to the diploma options. School personnel need more specific information to be able to offer this diploma by spring 2001.
- Although more students in Virginia are graduating from high school, improvement is needed to further reduce the drop-out rates of students with disabilities. The drop-out rate for students with disabilities is somewhat higher than for students without disabilities; in the past two years, the difference has been less than one percentage point.
- During 1998-99, instances of long-term suspension for students with disabilities are two cases per thousand more than students without disabilities. During that same period (1998-99), instances of expulsion for students with disabilities are .11 cases per thousand more than students without disabilities. The difference in the expulsion rates for students with and without disabilities is much less than the difference between the long-term suspension rates, therefore the state should focus on reducing the long-term suspension rates of students with disabilities.

Recommended Improvement Strategies

- Continue to gather and analyze data on students with disabilities' participation and performance on SOL tests and other assessments. If negative trends are

found, or if students are not appropriately included in the state's accountability system, determine reasons and implement appropriate action.

- Continue to inform the public about the alternate assessment process and procedures. Ensure that information and training opportunities for parent involvement in their child's alternate assessment process is made available to parents and teachers.
- The VDOE Divisions of Instruction and Instructional Support Services should collaborate in the development and dissemination of model instructional programs to address: 1) implementing the new modified standard diploma, and 2) supporting students with disabilities in school divisions' SOL remedial programs.
- Continue to examine data in the following areas for trends:
 - graduation and school completion,
 - drop-out rate,
 - long-term suspension, and expulsion.If negative trends are identified, determine reasons and implement appropriate action.

Components BF 8 and 9 were viewed together as the indicators overlap.

Component BF.8: All placement options are available to meet the individual needs of children with disabilities.

Component BF.9: Appropriate special education and related services are provided to children with disabilities in the educational setting determined to be the least restrictive environment

There are four indicators in these components. Two areas of strength emerged, and one area needs improvement. There is one area of noncompliance identified within these components. One indicator, which compares the state's placement data to national data, could not be assessed due to potential inconsistent reporting practices.

Through this self-assessment it was determined that one indicator could not be assessed that asked the state to compare the percentage of children with disabilities in each disability category, served in various placements, to national data. This self-assessment indicated that caution should be used in relying on these data for drawing conclusions about placement in the least restrictive environment in Virginia for the federal reporting categories of: a) "special education outside regular class less than 21% of day", b) "special education outside regular class at least 21% of day and no more than 60% of day," and c) "special education outside regular class more than 60% of day" (Table 3, Part B IDEA Implementation of FAPE Requirements, US-OSEP) due to inconsistencies among Virginia's definitions, those of other states, and federal definitions.

The VDOE will be conducting a comprehensive analysis of placement data as part of the state's procedures for determining whether significant racial/ethnic disproportionality exists relative to the placement of students with disabilities.

Areas of Strength

- The three (3) state funding mechanisms listed below appear to support placement decisions in the least restrictive environment for individual children. Virginia's Joint Legislative Audit Review Committee is in the process of conducting a study of state funding systems. When that study is complete, if the results impact the VDOE's periodic examination of this issue, they will be used to make appropriate changes.
 1. The Standards of Quality (SOQ) funding formula is reflected in the special education staffing section of the state special education regulations. In 1994, these state regulations were revised to remove any implication that placement referred to location rather than the amount of service.
 2. In 1997, the VDOE staff conducted interviews with staff of public regional programs. These interviews and visits revealed that although public regional special education programs are funded through a separate mechanism from the SOQ formula, student placements were made in the least restrictive environment. These programs had a continuum of services and placements available based on student needs, as indicated by the IEPs.
 3. The Comprehensive Services Act (CSA) includes a state-local funding mechanism that includes private day and residential special education placements. CSA policy was amended to allow funds to be used for community-based services that would prevent more restrictive placements. This policy was communicated to local CSA teams and school divisions via a memorandum from the superintendent of public instruction in August 1999.
- Public input generated by some special and general education teachers, as well as students, indicated that the effects on students were positive, when teachers work well together in collaborative teaching classrooms.

Areas Needing Improvement

- More information and training are needed for administrators and teachers to support the continuum of alternative placements.

Areas of Noncompliance

- The Virginia Department of Education's federal program monitoring found some local school divisions have been cited as out of compliance for not having a continuum of placement options available. In 1998, four of 21 school divisions

monitored were cited; in 1999 five of 20 monitored were cited; and in 2000 three of 25 were cited and four were cited on children not being served in an age-appropriate environment. Public input raised concerns that for certain students, placement decisions are narrowly defined, that the schools start with the self-contained placement option, rather than less restrictive considerations, that there was no continuum of services for some students, and that inclusion creates a barrier to more restrictive placements. Within inclusive settings, a lack of needed supports was reported. Another concern was that achievement accountability pressures are a barrier to general education teachers accepting students with disabilities in their classes. More training for teachers and administrators was suggested for improving in this area.

Recommended Improvement Strategies

- Determine reasons for identified areas of noncompliance. Explore additional strategies, including training and sanctions, to ensure timely and effective compliance.
- Conduct routine analysis of placement data with a broad scope of impact factors. Data should be analyzed to determine whether any trends exist in placement of students with disabilities, including placement in more restrictive settings, placements made in inclusive settings, and placements for certain disability categories. In addition, the state should continue with the analysis of data addressing significant racial/ethnic disproportionality in placements and provide periodic reports to the public.

Component BF.10: To the maximum extent appropriate, children with disabilities are educated and participate in activities and services with non-disabled peers.

There is one indicator in this component that addresses the provision of training for implementation of the least restrictive environment (LRE). Two areas of strength emerged, while three areas are identified as needing improvement. There are no areas of noncompliance identified within this component. At this time, local training activities are not compiled or analyzed, thus the status of local LRE training could not be assessed.

Areas of Strength

- In 1998-99, T/TACs offered 270 LRE content service events, comprising 4% of all content areas. In 1999-00, they offered 412 LRE content service events, comprising 4% of all content areas. The VDOE's Commonwealth Special Education Endorsement Program also addresses LRE in required course work.
- From public input all respondent groups rated the T/TAC services as a valuable asset.

Areas Needing Improvement

- From public input focus groups, some parents indicated that some of the T/TACs did not encourage as much parent access as did others. Since then, the T/TACs have addressed this problem and parents across the state have access to the services at each center on a more consistent basis.
- From public input focus groups, some teachers noted concerns that SOL testing and school accreditation impact general education teachers' acceptance of students with disabilities in their classes.
- Public comments indicated perceptions that teachers lack the appropriate skills to address challenging behavior of students with disabilities in general settings and activities.

Recommended Improvement Strategies

- Establish a mechanism for collecting, compiling, and analyzing local LRE training activities.
- Encourage and provide specific training for general education teachers to address challenging behavior of students with disabilities in general education settings. Determine specific needs of general education teachers and target training and information in a coordinated way, especially to personnel who are not accessing the available opportunities through the T/TAC and other local and regional activities.

C. Secondary Transition

The US-OSEP states its objective for this cluster area as, “All youth, beginning at 14 and younger, when appropriate, receive individualized, coordinated transition services, designed within an outcome oriented process which promotes movement from school to post-school activities.”

Secondary Transition Cluster Summary

Consistent with the spirit and intent of the IDEA, Virginia has a strong adherence to transition regulatory requirements and the provision of appropriate services to prepare youth with disabilities for employment, postsecondary education, independent living, community participation, and life skills. One of three strategic directions of the State Improvement Plan is to increase the graduation and program completion rates of students with disabilities. This goal is facilitated by an emphasis on effective transition planning that includes the active involvement of students and parents.

The VDOE has several initiatives that provide direct support for transition in partnership with appropriate agencies and organizations. The first is a well established interagency council for transition comprised of adult service and professional organizations. The council has grown from 13 agencies in 1997 to 20 agency members in 2000. The mission of the Virginia Intercommunity Transition Council (VITC) is to promote successful transition outcomes for youth and young adults with disabilities by providing leadership and innovation in employment, education, training, and community support systems for all students. The interagency cooperative agreement between these entities states:

“The effective coordination of transition services promoted by VITC includes activities that:

- identify transition services provided and funded by respective agencies;
- coordinate information used by agencies for transition services planning, thus avoiding duplication of service;
- disseminate information on transition issues to consumers, families and service providers;
- develop strategies, funding/resources, and agreements for meeting transition services needs;
- develop consistent cross-agency policy and procedures to promote the effective provision of transition services;
- encourage a seamless movement from school to postsecondary services, or among services (if appropriate), for all youth regardless of the nature of the disability; and
- evaluate the effectiveness of transition services in terms of outcomes and satisfaction.”

The VITC conducts an annual state training conference, “Transition Forum.” The 2000 conference, attended by over 600 professionals, was designed in collaboration with:

- Virginia Department of Education;
- Virginia Department of Rehabilitative Services;
- Virginia Association of Vocational Special Education Special Needs;
- Virginia Rehabilitation Association;
- Virginia Council for Exceptional Children’s Division on Career Development;
- Virginia Department for the Blind and Vision Impaired;
- Parent Educational Advocacy Training Center;
- Virginia Rehabilitation Counselor’s Association;
- Virginia Association on Higher Education and Disability;
- Virginia Vocational Evaluation and Work Adjustment Association;
- Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services; and
- Old Dominion University.

The VDOE supports the assignment of one staff position in the area of transition at the state education agency and at each Training/Technical Assistance Center in the state. In addition, the Virginia Department of Rehabilitative Services (VDRS) to two state transition coordinators, an education program services manager, and seven transition specialists with the Postsecondary Education Rehabilitation Transition (PERT) program. All of these transition specialists work together on the Transition Leadership Council. This group specifically addresses the training needs of local practitioners and maintains a grass roots listserv called “UNITETALK.” When the VDOE and the VDRS applied for Project UNITE funding in 1992 (US-OSEP Award #H158A20015), there were only three full-time transition specialists in any school division across the Commonwealth. At present, every school division has a person designated to assist with transition, although some of these positions require multiple responsibilities including teaching or directing special education. However, more than two-thirds of Virginia’s schools have personnel who have specific responsibilities for coordinating transition services. The increase in the numbers of personnel with transition coordination responsibilities support local increases in the availability, access, and quality of transition services. At the end of five year funding of UNITE, (beginning in 1998), the VDOE in partnership with the Virginia Board for People with Disabilities continued local development of transition services through the funding of 18 local educational agency (LEA) grants to develop transition services specific to placing students with more significant disabilities in work settings. Based on review of mid-year and final reports, these grants have been very successful and go beyond the project goals by raising LEA awareness and improvement efforts to include all transition needs of the school divisions. The original proposal targeted 16 school divisions, however the VDOE received 18 applications and provided additional funding to support all applicants.

Local partnerships have improved through the implementation of model cooperative agreements and cross-disciplinary training and activities between the VDOE and the VDRS. Each local school division is required to have a cooperative agreement with their

local department of rehabilitative services. The interagency template was recently revised collaboratively by the VDOE and the VDRS to include more up to date service delivery options and an evaluation component.

The VDOE has partnered with the Postsecondary Education Rehabilitation Transition program (PERT) at Woodrow Wilson Rehabilitation Center since 1985 to fund comprehensive vocational evaluations for identified students with disabilities. A critical component of the PERT process is the formulation and operation of a PERT team within each participating school division. Each PERT team is comprised of members representing special education, vocational education, rehabilitative services, and a representative of the PERT program. Information from each evaluation component is synthesized in a summary completion report, which identifies the need for vocational education, trade related academic support, independent living, and recreation/social skills development for each participant. Summary reports are used by IEP teams to assist in individual vocational planning and programming in the secondary school, home and community. The program initially served six school divisions and 55 students and has expanded services every year and currently serves between 540-580 students annually from 103 local school divisions across Virginia.

In the past year, the VDOE increased its funding to PERT by \$80,000 to develop alternative service delivery options to more school divisions due to the facility reaching capacity for on-site evaluations. The project pilot provides structured assistance in long range planning for transition services over a three year period to an identified high school. The development of a transition assessment instrument and technical assistance model currently supports this planning process for six local high schools.

Beginning in 1997, the VDOE developed and disseminated information relative to the age of majority concerns (Letter from State Special Education Director, 1997). More specific materials relative to the age of majority were developed and disseminated to all school division on March 10, 2000 (Superintendent's Memo No. 44).

Transition is also one the priority areas of the Special Education State Improvement Plan (SIP) for local personnel training grants. The VDOE has developed a Post Secondary Student Survey with a twofold purpose. One is the evaluation over time of the SIP initiatives in the state. The second is to explore those research based factors that impact student participation in transition planning and the appropriate provision of services.

Secondary Transition Cluster Components

Component BT.1 – Appropriate services are provided to prepare youth with disabilities for employment, postsecondary education, independent living, community participation and life skills.

There are four indicators in this component. One area needs improvement. There are no areas of noncompliance identified within this component. It was determined that three

indicators could not be assessed because additional data are needed. The data mechanisms do not lend themselves to addressing the indicator as stated.

The majority of public input focused on appropriate transition services. Concerns expressed included lack of local services, services starting too late, parents and students not being informed of services, the need for increased vocational preparation, the need for personnel training, the need for job coaching, and inconsistent service delivery across disability categories.

Areas Needing Additional Data

The VDOE collects information reported by local school divisions regarding graduation rates of all students and their plans for postsecondary activity. However, there has not been a separation of information about students with disabilities for purposes of comparisons to the general education population. With regard to one of US-OSEP's indicators, examining the percentage of youth with disabilities participating in post school activities, the VDOE initiated a state survey to establish baseline data for program evaluation as part of the SIP. Therefore, data have not been collected and analyzed for addressing the indicator at this time. Data collection methods in need of improvement include reporting mechanisms for graduation, drop-out rates, accounting for all "school exiters" beyond the reason codes in the federal special education exit report, analyzing data from the VDRS, and development of methodology for measuring increases in linkages to transition services providers outside of VDOE.

Areas Needing Improvement

- The drop-out rate for students with disabilities needs to be reduced, as discussed in the General Supervision and FAPE in the LRE sections of this report.

Recommended Improvement Strategies

- Amend or align reporting mechanisms to disaggregate needed information relative to graduation and drop-out rates for students with disabilities to make comparisons to students without disabilities.
- Continue to examine drop-out data in relation to the state's education reform initiatives. Based on research and trends, determine reasons for higher drop-out rates and implement appropriate action.
- Add codes for the reasons students with disabilities exit school. Analysis of drop-out data by disability classification could assist in designing prevention programs.
- Analyze data from the Virginia Department of Rehabilitative Services (VDRS).
- Develop methodology for measuring linkages to transition services providers outside state and local educational agencies.

- Explore avenues for increasing T/TAC services in the area of secondary transition.
- Continue personnel development activities with VDRS school counselors on effective transition planning and service provision.
- Develop VDOE training initiative in collaboration with appropriate partners.
- Continue the VITC and explore options for adding additional partners through VITC or interagency agreements.
- Continue funding for transition project grants to LEAs.

Component BT.2 – Youth with disabilities are actively involved in appropriate transition planning.

There are two indicators in this component. One area of strength emerged. There is one area of noncompliance. Public input supports student involvement as a strength with a recommendation to prepare students for goal planning and participating in meetings. It was determined that two indicators could not be assessed because additional data are needed. The data mechanisms do not lend themselves to addressing the indicator as stated.

Areas Needing Additional Data

The VDOE has initiated a state survey to address the percentage of youth with disabilities participating in transition planning. Therefore, data has not been collected and analyzed for addressing the indicator at this time. With regard to the percentage of youth with disabilities exercising their rights and responsibilities, as appropriate, regarding special education at the age of majority, the state surveys will address this indicator in addition to information relative to federal program monitoring and results of complaints and due process.

Area of Strength

- There was a high participation rate (97% of the students undergoing PERT evaluations) of students with disabilities at meetings to discuss vocational evaluations conducted by PERT.

Area of Noncompliance

- Of 25 school divisions reviewed under federal program monitoring, six were cited in noncompliance with regard to notification of the student one year prior to the age of majority that rights will transfer to the student at age 18.

Recommended Improvement Strategies

- Explore mechanisms for reporting training opportunities conducted at the local level as another participation benchmark for determining increases in youth with disabilities active involvement in appropriate transition planning.
- Develop a training package in collaboration with appropriate partners regarding student participation in transition planning. Develop training initiatives regarding youth with disabilities exercising their rights and responsibilities regarding special education at the age of majority, as appropriate.
- Develop a mechanism to determine how many in youth with disabilities are exercising their rights and responsibilities regarding special education when they reach the age of majority.
- Emphasize in all training events, regional director meetings, the special education council, and T/TAC newsletters that students must be notified one year prior to age 18 that the IDEA rights transfer to them at age 18.

D. Parent Involvement

The US-OSEP states its objective for this cluster area as, “The provision of a free appropriate public education to children and youth with disabilities is facilitated through parent involvement in special education services.”

Parent Involvement Cluster Summary

Virginia has a strong adherence to regulatory requirements of including parents as partners in the development of student’s Individualized Education Programs (IEP). Parents also work and collaborate with educators in the following areas:

- planning and implementing the monitoring of local school divisions;
- providing input for school improvement through the process of special education advisory committees at the state and local levels;
- participating in state activities as collaborative partners;
- providing leadership to communities through the activities of local school division’s Parent Resource Centers (PRCs); and
- participating in training events of the Training/Technical Assistance Centers (T/TAC).

Since 1988, the VDOE has offered incentive funds for local school divisions to develop Parent Resource Centers (PRC). There are currently 55 PRCs in the state (one center serves five localities in a regional model). The VDOE provides ongoing training to, and communication with, local PRCs to ensure that they receive consistent regulatory information to use in their local technical assistance and training opportunities. Since July 1997, the VDOE disseminated information in the following areas to the PRCs: IDEA 1997 amendments requirements, discipline, mediation, alternate assessment, transition, resource systems, and Individualized Education Program (IEP).

The VDOE dedicates partial assignment of an education program specialist to the supervision of parent services in the state. Following the model used in the PRCs, the state also employs a parent to provide technical assistance and training to the local PRCs and respond to inquiries from parents. Direct training to parents in the state has been provided through the following activities: collaboration with Project River (parent coalition activity sponsored by Virginia’s protection/advocacy agency) in the provision of materials for training on IDEA 1997 amendments, training on IDEA 1997 amendments, conference on collaboration, alternate assessment, mediation training, and state regulations training. A supplemental guide is also provided to localities about parental rights in special education that is currently under revision.

The VDOE requires school divisions to submit local improvement plans as part of the SIP’s state/local partnership for improving results for students with disabilities. A requirement of the local improvement plan is the involvement of parents of students with disabilities as collaborative partners in identifying local improvement needs.

Virginia has a well-established partnership with the Parent Educational Advocacy Training Center (PEATC), Virginia's federally funded parent information and training center. PEATC provides training curricula within a "trainer-of-trainers" model to increase local service delivery capacity of professionals and parents. PEATC also provides information statewide through distribution of a newsletter and maintenance of a Web site. Training materials used with local PRC were developed by PEATC. Staff from PEATC routinely participates in state activities such as the State Improvement Plan (SIP) initiatives, T/TAC meetings, State Special Education State Advisory Committee meetings, and this self-assessment process. An agreement has been developed with PEATC for development and provision of training to those areas of the state identified as "underserved" with regard to parent training opportunities.

One of the strategic goals of the SIP is to improve meaningful participation of parents and students in the special education process. A parent involvement instrument has been developed that will be used to evaluate the satisfaction parents have with the special education process. In combination with the PostSecondary Student Survey, information will be gathered to assess strengths and needs in the area of parent/student involvement and to develop strategies for state leadership with regard to other factors impacting parent and student involvement in the IEP process and secondary transition.

Parent Involvement Cluster Components

Component BP.1 – Parent involvement is advanced through training and information dissemination to parents, youth with disabilities and staff.

There are six indicators in this component. There are two areas of strength. There is one area in need of improvement and one area of noncompliance. It was determined that three areas could not be assessed because the data mechanisms do not lend themselves to addressing the indicator as stated.

Areas Needing Additional Data

One of US-OSEP's indicators of parent involvement is an increase of joint training activities, where parents/students and school personnel attend together. The VDOE has information documenting training across the state. However, the data are not sufficient to assess whether there are increases in joint training opportunities. As part of the SIP, a mechanism to begin collecting this information has been developed for use by staff and training partners. Public input suggests that joint training activities are not utilized by parents and that there are not enough opportunities for joint training. In addition, the public views joint training activities as a mechanism for removing barriers to effective school/parent partnerships.

Areas of Strength

- The VDOE's training and information dissemination addresses the identified needs of parents, youth with disabilities and staff. The VDOE has vehicles for

widespread communication on a variety of topics such as a Web site and a regular television broadcast called the “VDOE Hour.” There are also two toll-free telephone lines and TDD lines specified for receiving parent requests for information.

- The VDOE does produce documents in different formats such as Braille, large print, audiotape, and captioned video. There has been one project to produce a Spanish translation of PEATC’s workshop on the IEP process.

Area Needing Improvement

- The training and dissemination of informational materials in a variety of languages, formats and locations is an area needing improvement. . Local school divisions develop their own materials, as needed. The VDOE does not disseminate informational materials in a variety of languages; however, plans are underway for providing translations of the revised state special education regulations and parents rights brochure.

Area of Noncompliance

- Results of monitoring indicate that local school divisions are not appropriately informing parents about parental rights and responsibilities. Updated versions of the VDOE parental rights document were disseminated in June and November of 2000. However, corrections are still needed to that document. A final version reflecting the state special education regulations (effective January 2001) will be widely disseminated.

Recommended Improvement Strategies

- Explore ways to enhance and increase joint training opportunities and the state and local levels to support the parent-professional partnership.
- Develop a mechanism to collect and analyze needed data from local Parent Resource Centers and local improvement plans, including joint training activities. Use this information to plan needed training opportunities for parents.
- Explore ways to enhance training and information dissemination to address parent training needs including, increased efforts to notify parents of the available resources of the VDOE’s Web site and televised “VDOE Hour”.
- Increase efforts to disseminate information to parents regarding extended school year services.
- Collect and analyze state parent survey data and inform state, regional, and local providers of parent training needs. Identify and coordinate additional partners for parent training activities.

- Provide technical assistance to school personnel to facilitate parent involvement in school planning activities. Technical assistance should include cultural competence in areas where diverse parent representation is needed.
- Explore additional strategies for LEAs corrective action plans with regard to appropriately informing parents and staff about parental rights and responsibilities, including sanctions, to ensure timely and effective compliance.
- Develop strategies for providing information and training to parents in their native language.

Component BP.2 – Appropriate services, including transition services, are received by children with disabilities when parents and youth with disabilities are actively involved.

There are two indicators in this component. Three areas of strength emerged and no areas are identified as needing improvement. There are no areas of noncompliance.

Areas of Strength

- Virginia has a comprehensive Special Education State Improvement Plan (SIP) that focuses on results for students with disabilities. Data have been collected and reported on the indicators reflecting student achievement. Surveys to gather information around the other goals and indicators have been developed and implemented.
- Local personnel development grants have been funded and successfully initiated. School divisions are required to partner with institutions of higher education to identify and address training needs. Certain school divisions have been identified with regard to their need for assistance as “eligible applicants”.
- Results of this self-assessment will be integrated into the SIP to ensure that appropriate data are collected and analyzed to address the US-OSEP monitoring components.

Component BP.3 – Programs and services for children with disabilities are improved because parents are actively involved in program improvement activities.

There are three indicators in this component. Two areas of strength and two areas needing improvement emerged. There are no areas of noncompliance. One indicator could not be assessed because additional data are needed.

Area Needing Additional Data

US-OSEP's indicator, "Results of program improvement activities reflecting the identified needs of parents and children with disabilities" is addressed through the SIP, but data have not yet been collected/analyzed. Additional data will be needed to determine whether the local personnel training grants reflect the identified needs of parents and children with disabilities of the locality.

Public input suggests that despite parent participation on LACs, they have little impact as change agents and feel intimidated by school personnel when participating in policy or planning activities.

Areas of Strength

- Virginia requires parent involvement through Local Advisory Committees (LACs). Public input supports the mandated local structures of LACs.
- Parents participate in the local and state monitoring self-assessment process, are active members of the State Special Education Advisory committee, and are routinely represented on state task forces and project steering committees. Parent input was an integral part of the development of the SIP and informational materials on the transfer of rights at the age of majority.

Areas Needing of Improvement

- Public input suggests that not enough direction is provided by VDOE for LACs on effective implementation of this local committee to enhance parent-professional partnerships for program planning.
- The state has not routinely solicited feedback from parents regarding their participation and involvement in the activities mentioned above. Parents will be surveyed using the state instrument being developed for this purpose.

Recommended Improvement Strategies

- Maintain the current SSEAC structure of regional parent representation.
- Develop guidance materials on implementing Local Advisory Committees (LACs), including suggested roles and responsibilities. Disseminate this information to LACs and special education directors.
- Develop a mechanism to include results of public forums in local monitoring reports. Report the number of parents that participate in the local self-assessment process in the state's monitoring annual report.

- Develop a mechanism to obtain parent input regarding involvement in local program improvement activities.

Part III Appendices

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APPENDIX A

State Special Education Advisory Committee Members and Subcommittee Assignments **(Part B Steering Committee Workgroup)**

APPENDIX B

Minutes of Committee Meetings:

State Special Education Advisory Committee (SSEAC)

General Supervision

Free Appropriate Public Education in the Least Restrictive Environment

Secondary Transition and Parent Involvement

APPENDIX C

Notice of Public Input Opportunities:

Focus Group Interview Invitation Letter

Public Survey

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Report on Focus Group and Phone Interviews

Public Survey Results from October 6 to December 1, 2000

APPENDIX E

Cluster Area Charts:

General Supervision (GS)

Free Appropriate Public Education in the Least Restrictive Environment (BF)

Secondary Transition (BT)

Parent Involvement (BP)